

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b>	
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b>	
<b>ERENNY CASTRO-ACOSTA</b>	<b>:</b>	<b>VIOLATIONS:</b>	<b>8 U.S.C. § 1326(a) and (b)(2) (Re-entry after deportation - 1 count) Notice of Prior Conviction</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about January 12, 2004, at Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**ERENNY CASTRO-ACOSTA,**

an alien and a citizen of the Dominican Republic who had previously been deported from the United States on or about January 25, 2002, was found in the United States, having knowingly and unlawfully re-entered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4), and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a) and (b)(2).

**NOTICE OF PRIOR CONVICTIONS**

**THE GRAND JURY FURTHER CHARGES THAT:**

Defendant Erenny Castro-Acosta committed the offense charged in Count One of this Indictment after having been convicted of an aggravated felony, as that term is defined and used in Title 8, United States Code, Sections 1101(a)(43)(B) and 1326(b)(2), as follows:

On June 2, 1998, the defendant was convicted in the United States District Court for the Eastern District of Pennsylvania, at Philadelphia, Pennsylvania, of one count of conspiracy to possess with intent to distribute heroin, in violation of Title 21, United States Code, Section 846, and one count of possession with intent to distribute heroin, in violation of Title 21, United States Code, Section 841(a)(1), at Criminal No. 2:98CR00056-001.

***A TRUE BILL:***

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**FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**